

REMARKS

Claims 12-22 remain pending in this application. None of the claims have been amended in this Response.

The abstract of the disclosure was objected to due to typographical error. In response to the objection, the Applicant has amended the abstract to remove the errors. Favorable reconsideration is respectfully requested.

The drawings were objected to due to hand-written alterations. In response, the Applicant has submitted two replacement sheets that remove the aforementioned alterations. Favorable reconsideration is respectfully requested.

Claims 12-19 and 21-22 were rejected under 35 U.S.C. §102(e) as being anticipated by Nelson (US 6,526,092). The Applicant traverses the rejection. Favorable reconsideration is respectfully requested.

The Applicant wishes to thank the Examiner for conducting a telephonic interview on February 18, 2004. Pursuant to the interview, the Applicant submits that Nelson does not disclose "a memory, permanently connected to the controller locally, for storing individual user data defining a respective user's possible scope of use of the program-controlled apparatus, the controller controlling the hardware device only within the scope of use defined by the individual user data" as cited in claim 12. The portion relied upon by the Examiner (col. 3, lines 17-42) generally discloses a data pump circuit (211) having a RAM circuit (216) and Flash PROM (217) connected to a RS232 interface (215) for receiving upgrade program data (col. 3, lines 43-57). There is no teaching or suggestion for storing individual user data defining a respective user's possible scope of use, wherein the controller restricts use in accordance with the scope of use defined by the individual user data. Accordingly, the Applicant submits that the rejection is improper and should be withdrawn. It follows that the rejection under 35 U.S.C. §103 with respect to claim 20 (which depends indirectly from claim 12) is also improper and should be withdrawn. For at least these reasons, claims 12-22 are in allowable form, and an early Notice of Allowance is earnestly requested.

If any fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket number (0112710-0114) on the account statement..

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY



Peter Zura

Reg. No. 48,196

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4292

Dated: February 23, 2004